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SUBJECT: NEW DIRECTION FOR PRISON REFORM?

REF: 07 TBILISI 2450

Classified By: Ambassador John F. Tefft for reasons 1.4 (b) and (d).

¶1. (U) Summary: Representatives from the Penitentiary Service (PS) and Ministry Of Justice (MOJ) announced March 4 that Tbilisi Prison Number 5 pre-trial detainment facility is now officially closed. All prisoners have been transferred to other facilities and MOJ plans to demolish the building during the month of March. PS and MOJ representatives signaled a possible change in approach from focusing on the construction of new prisons to that of working with donors to build a rehabilitation system for prisoners to prepare them for a successful return to civil society. Approximately 2,000 prisoners have been released since the last months of 2007, which includes those who benefited from amnesty, pardons and early release programs. The major obstacles to crafting a rehabilitation scheme now are the lack of provisions for it in the current Penitentiary Code, dedicated MOJ funding, and a dearth of qualified social workers and prison staff. MOJ and PS interest in constructing a rehabilitation plan was welcomed by the international donors, who have long wanted more direct interface with PS and MOJ representatives and a closer working relationship. End Summary.

Overcrowding: Tbilisi #5 closed

¶2. (C) Poloff and members from the NGO donor community and representatives from the diplomatic community met with PS representatives, Dato Kelkbiani (reftel), and Irene Tsintsadze, and MOJ representatives Ketevan Akalkertsi and

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Levan Meskoradze to hear about MOJ's plan for prison reform in 2008. At this meeting, Tsintsadze announced that as of March 4, all prisoners who were being held in Tbilisi Prison (pretrial confinement) Number 5 had been transferred to Gldani, and Rustavi Prisons 2 and 6. (Note: none of the later three are listed as being overcrowded either by Ministry of Justice information, nor in the Council of Europe's October report carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Punishment or Treatment.) Further, they announced that since late 2007, approximately 2,000 prisoners had been released due to amnesty, pardon and early release programs. (Comment: PS agreed to compile and share this data by the end of March.) In 2008, MOJ plans on renovating Geguti and Laituri prisons, the later to which they will send prisoners who are currently incarcerated in Zugdidi to ease overcrowding. Currently, a new prison is being constructed in Ninotsminda which will serve as a regional prison for southern Georgia.

New Direction for Prison Reform?

13. (C) Tsintsadze said the main two directions now for prison reform was in the area of social rehabilitation and health care strategy. If before the first phase was arrest and incarceration in support of zero tolerance, then the second phase was social reintegration of returning prisoners to society. She voiced her hopes of more closely working with UNICEF in regards to juvenile justice and training of social workers. Tsintsadze expressed her appreciation to the International Red Cross (ICRC) for the needs assessment which will give the ministry a better idea of what kind of medical care should be provided. Tsintsadze was hopeful that the success of the Atlantis drug rehabilitation, which was successfully introduced in Rustavi Prison Number 6 in December 2007, could be further implemented into other prisons. She agreed that qualified applicants for prison staff was lacking, due in large part to the stigma of working in a prison, and said that more needs to be done to change this public perception. She admitted that there is a sizable gap between the penitentiary and probation systems which needs to be addressed to have a successful rehabilitation program.

Obstacles to Reform

14. (C) NGO donors present cited the lack of provision in the current Penitentiary Code for rehabilitation as a major obstacle. As is, this code does not meet European Standards and contradicts rehabilitation plans; it would necessarily need to be amended. Other peripheral issues which are problematic are the dearth of qualified social workers, and lack of MOJ budget dedicated to rehab projects. Donors are keen to find a better way to work with MOJ to prevent duplication of effort, but until now there has not been an active forum with MOJ representatives in which to coordinate efforts.

How Do You Get There From Here?

15. (C) Ministry representatives agreed that the first step in implementing any rehab projects would be to review the action plan and use it as a tool to update MOJ strategy. MOJ agreed to host the next meeting in early April which would be dedicated to this effort. Once this document is updated, it could be used to coordinate donor activity and a timeline. All donors present stressed the need for MOJ involvement and proactive support for the project to be successful.

Comment

16. (C) The deplorable conditions and overcrowding in Tbilisi Prison Number 5 have long been documented. Resolving the issue is a major plus for Georgian authorities. If PS releases the statistical information promised and MOJ hosts a strategic review as indicated, this could be the first step in using the successful TIP (trafficking in persons) model, which used NGO support, some of them quite critical of the government, and government iron will, to successfully tackle tough issues and implement reform.

TEFFT